# Los Angeles County Sheriff's Department

# Officer Involved Shooting



| Report Date: 06-10-13 | Bureau/Station/Facility: Compton Sheriff Station | Admin. Invest.? ☐ Hit? ☐ |
|---|---|---|

## Incident Information

| URN: 912-11061-2811-051 | Date: 08-31-12 | Time: 2333 |
|---|---|---|
| City or Station: Compton | Nature of Incident: S/J. Kiper, and B. Kiper unco-op with Deputies. Deputy Magadan told S/J. Kiper to put his hands up, S/J. Kiper refused and reached for weapon. Deputy Magadan fired 2x. | |
| Location: [redacted] West Maple Street | | |

**Location Type (check one or more):**
- ☐ Backyard
- ☐ Beach
- ☐ Business
- ☐ Freeway
- ☐ Industrial
- ☐ Park
- ☐ Parking Lot
- ☑ Residence
- ☐ Rural
- ☐ School
- ☐ Street
- Other:

**Lighting (check only one):**
- ☑ Darkness
- ☐ Daylight
- ☐ Other
- ☐ Street Lights

**Weather (circle only one):**
- ☑ Clear
- ☐ Cloudy
- ☐ Fog
- ☐ Rain

Distance: 5 -10 feet

Total # of Shots Fired by Deputy: 2

Total # of Shots Fired by Suspect: 0

**Incident Type (check one or more):**
- ☐ Accidental
- ☑ Armed Person
- ☐ Fleeing Suspect
- ☐ Foot Pursuit
- ☐ Gun Take Away
- ☐ Moving Vehicle
- ☐ Sniper/Ambush
- ☐ Startle
- ☐ Struggle Involved
- ☐ Traffic Stop
- ☐ Unarmed Person
- ☐ Unintentional
- ☐ Vehicle Pursuit
- ☐ Warrant Service
- ☐ Warning Shot
- Other:

**Initiated by (check only one):**
- ☐ Arrest Warrant
- ☐ Call
- ☑ Observation
- ☐ One Person Unit
- ☐ Other
- ☐ Search Warrant
- ☐ Two Person Unit

**Prior Activity (check only one):**
- ☐ Detective
- ☐ Inmate Transport
- ☐ Other
- ☑ Routine Patrol

Aero Unit? ☐ Canine Unit? ☐

## Employee Witnesses

| Employee # | Last Name | First Name | M.I. | ShiftTime (check only one) | ShiftType (check only one) |
|---|---|---|---|---|---|
| [redacted] | Moreno | Eric | M. | ☐ EM ☑ PM ☐ Day | ☐ Regular ☑ Overtime ☐ Off Duty |
| | | | | ☐ EM ☐ PM ☐ Day | ☐ Regular ☐ Overtime ☐ Off Duty |
| | | | | ☐ EM ☐ PM ☐ Day | ☐ Regular ☐ Overtime ☐ Off Duty |

## Non-Employee Witnesses

| Last Name | First Name | M.I. | Street Address | City | Zip Code | Work Ph | Home Ph |
|---|---|---|---|---|---|---|---|
| [redacted] | [redacted] | [redacted] | [redacted] | [redacted] | [redacted] | | [redacted] |
| [redacted] | [redacted] | [redacted] | [redacted] | [redacted] | [redacted] | | [redacted] |
| | | | | | | | |

## Supervisors

| Employee # | Last Name | First Name | M.I. | (check one or more): |
|---|---|---|---|---|
| [redacted] | Bell | Terrence | L. | ☑ On Duty ☐ Present during shooting ☐ Witness to shooting ☐ Involved in shooting |
| | | | | ☐ On Duty ☐ Present during shooting ☐ Witness to shooting ☐ Involved in shooting |

## Watch Sergeant

| Employee # | Last Name | First Name | M.I. |
|---|---|---|---|
| [redacted] | King | Matthew | E. |

## Watch Commander

| Employee # | Last Name | First Name | M.I. |
|---|---|---|---|
| [redacted] | [redacted] | [redacted] | [redacted] |

**PSTD Use Only**

**SH #** ____________

# Officer Involved Shooting

URN:



## Rollout Information

| Arrival Date | Arrival Time | Date Submitted | Date of Recommendation |
|---|---|---|---|
| 09-01-12 | 0115 | | |

| Employee # | Last Name | First Name | M.I. |
|---|---|---|---|
| [redacted] | Libertone | Patrick | L. |
| [redacted] | Haynes | Laura | L. |
| [redacted] | Parker | Brenda | NMI |

## Shooting / Force Information

### Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

### Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

### Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

### Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(SS) SIG Sauer
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

### Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

### FORCE APPLIED *(one code per block)*

| Used By (E# or S#) | Used Against (E# or S#) | Method (Code) | Brand (Code) | Caliber (Code) | Authorized Weapon? (Y/N) | Authorized Ammunition? (Y/N) | Type of Injury (Code) | Body Part (Code) |
|---|---|---|---|---|---|---|---|---|
| S#1,2 | E#1,2 | UC | | | | | | |
| S#1,2 | E#1,2 | FO | CO | 45 | | | | |
| E#1 | S#1,2 | FO | SS | 9 | Y | Y | NN | |
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See Front Side

# Officer Involved Shooting
# Involved Employee Information

URN: ____________



**Involved Employee**

E 1

| | | | |
|---|---|---|---|
| Employee # [redacted] | Last Name: Magadan | First Name: Raul | M.I.: E. |
| Sex: M Race: H | Rank: Deputy Sheriff B-1 | Unit Assignment: CPT/OSS | Work Assignment (Unit #, Module, etc.): Patrol |
| ShiftTime (*circle only one*): [ ] EM [✓] PM [ ] Day | ShiftType (*circle only one*): [ ] Regular [✓] Overtime [ ] Off Duty | Intoxication/Drug Usage? [ ] | Substance Used: |
| Hospital Admission? [ ] | Hospital Name: | Coroner Case? [ ] | Coroner Case #: Interviewed? [✓] |
| Hrs of sleep prior to shooting: 6-8 | Duty Time (hrs): [redacted] | Clothing (*circle only one*): [ ] Plain Clothes no Vest [✓] Plain Clothes w/ Vest [ ] Raid Jacket no Vest [ ] Raid Jacket w/ Vest [ ] Uniform no Vest [ ] Uniform w/ Vest | Other Factors: |
| Age: [redacted] Height: 5' 09" Weight: 200 | | | |
| Range Qualification Date: [redacted] | PPC Qualification Date: [redacted] | Laser Training Date: [redacted] | |
| Certified with Weapon Used? [redacted] | Patrol Certification? [redacted] | Certification Unit: [redacted] | Prior Shootings? [✓] Number of Prior Shootings: 2 Directed Force: [redacted] |
| Weapons Fired Brand: Sig Sauer Caliber: 9MM # Shots: 2 | | Weapons Fired Brand: Caliber: # Shots: | |
| Field Training Officer Emp # [redacted] | Last Name [redacted] | First Name [redacted] | M.I. [redacted] |
| Field Training Officer Emp # [redacted] | Last Name [redacted] | First Name [redacted] | M.I. [redacted] |

E ___

| | | | |
|---|---|---|---|
| Employee # | Last Name | First Name | M.I. |
| Sex: Race: | Rank: | Unit Assignment: | Work Assignment (Unit #, Module, etc.): |
| ShiftTime (*circle only one*): [ ] EM [ ] PM [ ] Day | ShiftType (*circle only one*): [ ] Regular [ ] Overtime [ ] Off Duty | Intoxication/Drug Usage? [ ] | Substance Used: |
| Hospital Admission? [ ] | Hospital Name: | Coroner Case? [ ] | Coroner Case #: Interviewed? [ ] |
| Hrs of sleep prior to shooting: | Duty Time (hrs): | Clothing (*circle only one*): [ ] Plain Clothes no Vest [ ] Plain Clothes w/ Vest [ ] Raid Jacket no Vest [ ] Raid Jacket w/ Vest [ ] Uniform no Vest [ ] Uniform w/ Vest | Other Factors: |
| Age: Height: Weight: | | | |
| Range Qualification Date: | PPC Qualification Date: | Laser Training Date: | |
| Certified with Weapon Used? [ ] | Patrol Certification? [ ] | Certification Unit: | Prior Shootings? [ ] Number of Prior Shootings: Directed Force: [ ] |
| Weapons Fired Brand: Caliber: # Shots: | | Weapons Fired Brand: Caliber: # Shots: | |
| Field Training Officer Emp # | Last Name | First Name | M.I. |
| Field Training Officer Emp # | Last Name | First Name | M.I. |

E ___

| | | | |
|---|---|---|---|
| Employee # | Last Name | First Name | M.I. |
| Sex: Race: | Rank: | Unit Assignment: | Work Assignment (Unit #, Module, etc.): |
| ShiftTime (*circle only one*): [ ] EM [ ] PM [ ] Day | ShiftType (*circle only one*): [ ] Regular [ ] Overtime [ ] Off Duty | Intoxication/Drug Usage? [ ] | Substance Used: |
| Hospital Admission? [ ] | Hospital Name: | Coroner Case? [ ] | Coroner Case #: Interviewed? [ ] |
| Hrs of sleep prior to shooting: | Duty Time (hrs): | Clothing (*circle only one*): [ ] Plain Clothes no Vest [ ] Plain Clothes w/ Vest [ ] Raid Jacket no Vest [ ] Raid Jacket w/ Vest [ ] Uniform no Vest [ ] Uniform w/ Vest | Other Factors: |
| Age: Height: Weight: | | | |
| Range Qualification Date: | PPC Qualification Date: | Laser Training Date: | |
| Certified with Weapon Used? [ ] | Patrol Certification? [ ] | Certification Unit: | Prior Shootings? [ ] Number of Prior Shootings: Directed Force: [ ] |
| Weapons Fired Brand: Caliber: # Shots: | | Weapons Fired Brand: Caliber: # Shots: | |
| Field Training Officer Emp # | Last Name | First Name | M.I. |
| Field Training Officer Emp # | Last Name | First Name | M.I. |

# Officer Involved Shooting
# Suspect Information

URN:



## Suspect Information

**S 1**

| | | |
|---|---|---|
| Last Name: Kiper | First Name: Jamar | M.I. D. |
| **AKA** Last Name: "Dribble" | First Name: | M.I. |
| Sex: M Race: Black | Street Address: [redacted] City: [redacted] | State & Zip Code: [redacted] |
| Work Phone: [redacted] | Home Phone: [redacted] Social Security #: [redacted] | Driver's License #: [redacted] |
| Age: 35 D.O.B. 07-24-77 | Height: 5' 06" Weight: 185 FBI #: [redacted] | CII #: [redacted] |
| Booking # 3285941 | Primary Charge: 29800(A)(1)P.C. | Secondary Charge: 1170(H)P.C. |
| Coroner Case? ☐ | Coroner Case # Intoxication/Drug Usage? ☐ | Substance Used: |
| Armed? ☑ | Apprehended? ☑ Mental Illness? ☐ | Criminal History? [redacted] |
| Vehicle Make | Model: | Year: |

**S 2**

| | | |
|---|---|---|
| Last Name: Kiper | First Name: Brandon | M.I. E. |
| **AKA** Last Name: | First Name: | M.I. |
| Sex: M Race: Black | Street Address: [redacted] City: [redacted] | State & Zip Code: [redacted] |
| Work Phone: [redacted] | Home Phone: [redacted] Social Security #: [redacted] | Driver's License #: [redacted] |
| Age: 28 D.O.B. 03-28-85 | Height: 5' 05" Weight: 150 FBI #: [redacted] | CII #: [redacted] |
| Booking # 3285938 | Primary Charge: 25850(A)P.C. | Secondary Charge: |
| Coroner Case? ☐ | Coroner Case # Intoxication/Drug Usage? ☐ | Substance Used: |
| Armed? ☑ | Apprehended? ☑ Mental Illness? ☐ | Criminal History? [redacted] |
| Vehicle Make | Model: | Year: |

**S**

| | | |
|---|---|---|
| Last Name | First Name | M.I. |
| **AKA** Last Name | First Name | M.I. |
| Sex: Race: | Street Address: City | State & Zip Code: |
| Work Phone: | Home Phone: Social Security #: | Driver's License #: |
| Age: D.O.B. | Height: Weight: FBI # | CII # |
| Booking # | Primary Charge: | Secondary Charge: |
| Coroner Case? ☐ | Coroner Case # Intoxication/Drug Usage? ☐ | Substance Used: |
| Armed? ☐ | Apprehended? ☐ Mental Illness? ☐ | Criminal History? ☐ |
| Vehicle Make | Model: | Year: |

**S**

| | | |
|---|---|---|
| Last Name | First Name | M.I. |
| **AKA** Last Name | First Name | M.I. |
| Sex: Race: | Street Address: City | State & Zip Code: |
| Work Phone: | Home Phone: Social Security #: | Driver's License #: |
| Age: D.O.B. | Height: Weight: FBI # | CII # |
| Booking # | Primary Charge: | Secondary Charge: |
| Coroner Case? ☐ | Coroner Case # Intoxication/Drug Usage? ☐ | Substance Used: |
| Armed? ☐ | Apprehended? ☐ Mental Illness? ☐ | Criminal History? ☐ |
| Vehicle Make | Model: | Year: |



See Other Side

# INVESTIGATIVE SUMMARY
# NON- HIT DEPUTY INVOLVED SHOOTING
# IAB #SH2319772
# FILE #012-11061-2811-051

| | |
|---|---|
| **Involved Employee:** | **Raul Magadan, Deputy Sheriff, #[redacted]**<br>**Fired two rounds from Sig Sauer, model P226** |
| **Witness Employee:** | **Eric Moreno, Deputy Sheriff, #[redacted]** |
| **Witnesses:** | [redacted]**, MB/**[redacted] |
| | [redacted]**, MB/**[redacted] |
| **Suspects:** | **Jamar Deon Kiper, MB/07-24-77**<br>**Booking #3285941** |
| | **Brandon Eujean Kiper, MB/03-28-85**<br>**Booking #3285938** |
| **Date:** | **August 31, 2012 (Friday)** |
| **Time:** | **2333 hours** |
| **Location:** | [redacted]**West Maple Street, Compton CA 90220** |

**OPENING STATEMENT:**

Internal Affairs Bureau Sergeant Laura Haynes, employee #[redacted] and Sergeant Brenda Parker, employee #[redacted] along with Lieutenant Patrick Libertone, employee #[redacted] responded to the [redacted] block of West Maple Street, in the city of Compton, where Deputy Raul Magadan, employee #[redacted] had been involved in an on-duty non-hit shooting (Refer to **Exhibit A**, for SH-R-49 Report).

Deputy Magadan and his partner Deputy Eric Moreno, employee #[redacted] were driving northbound Wilmington Avenue passing Maple Street, patrolling the area. As they looked westbound Maple Street, a known gang area, they saw three male blacks standing in the middle of Maple Street. The deputies made a U-turn to drive westbound Maple Street toward the male blacks. As they approached the group, Suspect Brandon Kiper looked at the approaching deputies radio car, grabbed his waistband, and walked through a small gate at the driveway entrance of [redacted] West Maple Street.

The deputies stopped their radio car facing westbound on the south side of the street, just slightly east of the driveway entrance. Deputy Magadan exited the radio car first with Deputy Moreno following. Deputy Magadan entered the driveway and ordered Suspect Brandon Kiper to show his hands. Suspect Brandon Kiper quickly walked southbound along the driver's side of a 2003, Ford, Expedition, four door, blue in color, License #[redacted], which was parked in the driveway. Suspect Brandon Kiper crouched down in front of the vehicle, as Deputy Magadan heard the sound of metal, and what he believed was a weapon discarded by Suspect Brandon Kiper, hitting the ground.

Deputy Magadan backed northbound down the driveway and walked toward the rear of the Expedition, and positioned himself on the passenger side of the Expedition utilizing the vehicle as cover. As Deputy Magadan moved toward the passenger's side, he saw Suspect Jamar Kiper standing at the front of the Expedition closer to the passenger side. Deputy Magadan ordered both suspects to show their hands. Suspect Brandon Kiper stood up and complied. Suspect Jamar Kiper refused, kept his hands near his waistband, and moved eastbound in front of the Expedition. Suspect Jamar Kiper then yelled, "Fuck it," and dove toward the area where Suspect Brandon Kiper had discarded a weapon. Deputy Magadan heard metal scraping on the ground. Suspect Jamar Kiper then reemerged from in front of the Expedition and moved toward the driver's side, where Deputy Moreno was positioned. Believing Suspect Jamar Kiper had armed himself, Deputy Magadan fired two rounds through the passenger side window of the Expedition at Suspect Jamar Kiper, missing him. Both suspects were taken into custody (Refer to **Exhibit B**, for Deputy Magadan's Supplemental Report and **Exhibit C**, for Deputy Moreno's Supplemental Report).

A "Glock" handgun, loaded with seven live rounds was recovered from the front of the Expedition where Deputy Magadan heard Suspect Brandon Kiper discard the weapon.

A second weapon, "Colt" .45, loaded with seven live rounds was recovered to the east of the Expedition between two trash cans in the side yard of [redacted], approximately four feet from where Suspect Jamar Kiper reemerged from in front of the Expedition (Refer to **Exhibit I**, for crime scene sketch and evidence list).

Witness [redacted] who had been standing in the street, was detained, interviewed and released.

Witness [redacted], who lived at [redacted] was detained, interviewed, released and determined not to be involved with the suspects or the shooting.

**IAB Note:** Internal Affairs Bureau Lieutenant Patrick Libertone checked to see that the Watch Commander, Lieutenant [redacted] employee #[redacted] took reasonable steps to ensure that the involved and witness personnel did not discuss the incident among themselves, or with uninvolved persons prior to being interviewed by the assigned investigators, and that the involved and witness personnel did not collectively consult with their attorney or representative. In addition, Internal Affairs Bureau Lieutenant Libertone checked to see if the Watch Commander attempted to have involved and witness personnel gather in the company of a supervisor (Sergeant Matthew King, employee #[redacted] until they have provided a statement to the assigned investigators.

## INVOLVED PERSONNEL:

**Magadan,** Raul, Deputy
Operation Safe Streets Bureau, Compton Station

**Work History**:

**Magadan, Raul**:
Date of Employment: 06-26-01
Date Assigned to Patrol: [redacted]
Date Completed Patrol Training: [redacted]
Prior Shooting Incidents: #SH2193328 (04-22-07) and #SH2219217 (04-29-08)
Prior Founded Force Incidents: [redacted]

## WITNESS PERSONNEL:

**Moreno,** Eric, Deputy
Compton Detective Bureau, Compton Station

Date of Employment: 07-03-00
Date Assigned to Patrol: [redacted]
Date Completed Patrol Training: [redacted]
Prior Shooting Incidents: #SH2242518 (04-26-09) and #SH2303209 (12-16-11)
Prior Founded Force Incidents: [redacted]

## WITNESSES:

[redacted]

The area was canvassed for additional witnesses regarding the deputy involved shooting (Refer to **Exhibit D** for Deputy William Lefevre's, employee #[redacted] and Deputy Alfredo Franco's, employee #[redacted] Supplemental Reports).

Prior to the deputy involved shooting, Witness [redacted] claimed he was talking to two individuals sitting in a dark colored SUV along the north curb line of Maple Street. These two individuals were contacted by responding deputy personnel immediately following the shooting but provided no information regarding witnessing the shooting. Witness [redacted] did not provide any identifying information regarding these two individuals and said he was not sure of their names, as he lives in [redacted] and was only visiting that day.

## SUSPECTS:

### Criminal History:

**Suspect Jamar Kiper** is a "Fruit Town Piru" gang member. He has [redacted] (Refer to **Exhibit K** for Suspect Jamar Kiper's Consolidated Criminal History Reporting System Printout, Booking slip, Probable Cause Declaration and Department of Motor Vehicles Printout).

**Suspect Brandon Kiper** is a "Fruit Town Piru" gang member. He has a [redacted] (Refer to **Exhibit L,** for Suspect Brandon Kiper's Consolidated Criminal History Reporting System Printout, Booking slip, Probable Cause Declaration and Department of Motor Vehicles Printout).

## INJURIES:

No deputies were injured during this incident.

Neither of the suspects were injured during this incident.

## PHYSICAL EVIDENCE:

Physical evidence related to the Crime Scene: Crime Scene Sketches, Collection of Evidence, Biological Evidence, Firearms related recovery, and Field Investigation Report (Refer to **Exhibits H and I**).

Deputy Magadan's rounds were not recovered.

## INVESTIGATOR OBSERVATIONS:

The crime scene, located at [redacted] West Maple Street, consisted of a single family residence, with attached garage, and an SUV parked in the driveway. The entire area south of the SUV in front of the garage, as well as the front portion of the residence where the shooting occurred, was extremely dark with no outside illumination. Maple Street is a residential area with numerous residences, as well as vehicles parked on the north and south sides of the street. There was [redacted] streetlight located on the south side of Maple Street, east of [redacted] which is [redacted] house east of the crime scene. Additionally a street light was located on the north side of Maple Street just [redacted] of [redacted]. Responding Internal Affairs Bureau Sergeants walked through the crime scene and noted the locations where both weapons discarded by the suspects were recovered (Refer to **Exhibit I** for crime scene sketches and evidence lists).

## WEAPON USED BY DEPUTY PERSONNEL:

**Deputy Magadan** fired two rounds from his Department approved Sig Sauer, P226, 9mm Luger caliber pistol, bearing serial #[redacted] utilizing Department approved 9mm Luger caliber cartridges. The weapon and ammunition were found to be within specifications consistent with the Sig Sauer pistol (Refer to **Exhibit G,** for Firearms Examination Form).

> **IAB Note**: Deputy Magadan had [redacted] the Sig Sauer P226 on or off-duty. Deputy Magadan [redacted]. His most recent qualification date prior to this shooting was [redacted]

## WEAPONS USED BY SUSPECTS:

Suspect Jamar Kiper was in possession of a stolen, "Colt," pistol, model Combat Government, .45 cal, Serial #[redacted] with magazine and (7) live rounds (Refer to **Exhibit M**, for photograph of recovered weapon).

Suspect Brandon Kiper was in possession of an unregistered, "Glock", pistol M26 Austria, Serial #[redacted] with magazine and 7 live rounds (Refer to **Exhibit N**, for photograph of recovered weapon).

**IAB Note**: The DNA Analysis report (Refer to **Exhibit H**), did reveal both suspects, "Partial DNA profile from the sample from the magazine (Glock) is a mixture consistent with at least two contributors. Assuming two contributors to the mixture, Brandon Kiper and Jamar Kiper, are included as contributors to this mixture. The modified random match probability estimate of this mixture profile is one out of thirty-five." No Latent prints were developed from the recovered weapons.

## PROPERTY DAMAGE:

Passenger window shattered and windshield cracked with possible bullet strike to a 2003, Ford, Expedition, four door, blue in color, License #[redacted] possibly from Deputy Magadan's duty weapon as he shot at Suspect Jamar Kiper.

## CRIMINAL INVESTIGATOR/CHARGES FILED:

Investigator: Detective [redacted]

**Suspect: Jamar Kiper**

Court: Compton Superior Court

Charges: Possession of Firearm by a Felon-Two Priors, 29800(A0(1) P.C.; Special allegation-Prior Offenses-Exempt from Local Custody (One Prior), 1170 (H) P.C.; Special Allegation-Any Felony, 667.5(B) P.C.; Special Allegation-2/3 Strikes (One Prior), 1170.12(A)(D) P.C.

Court Date: Sentenced to State Prison (32 months)

(Refer to **Exhibit J** for Felony Filing worksheet and Court documentation)

## CRIMINAL INVESTIGATOR/CHARGE FILED:

Investigator: Detective [redacted]

**Suspect: Brandon Kiper**

Court: Compton Superior Court

Charges: Carrying a Loaded Firearm/Prohibited Class, 25850(A) P.C.

Court Date: Sentenced to Formal Probation (36 months)

(Refer to **Exhibit J**, for Felony Filing worksheet and court documentation)

## LIGHTING AND WEATHER CONDITIONS:

The Deputy Involved Shooting occurred during darkness. Street lights provided some lighting, but the area where the shooting occurred was dark. Deputy Magadan utilized his mounted light on his duty weapon to illuminate the area.

Deputy Moreno did not have his flashlight with him at the time of the shooting, nor did his weapon have a mounted light.

## INVOLVED EMPLOYEE STATEMENT:

***The following narratives are intended only as a synopsis of the interviews. Additional information and precise wording may be obtained by reviewing the recorded interviews and transcriptions.***

### *Deputy Magadan:*

Deputy Magadan was interviewed on October 10, 2012, at the Internal Affairs Bureau Offices by Sergeant Laura Haynes and Sergeant Brenda Parker. Deputy Magadan was represented by Erika Gurrola of Green and Shinee.

Deputy Magadan essentially gave the same account as documented in his Supplemental Report.

Deputy Magadan said while patrolling northbound Wilmington Avenue, with his partner, and driver, Deputy Moreno they looked Westbound Maple Avenue. Both deputies are familiar with the area from previous gang and narcotics activity. They saw three male blacks standing in the middle of the street. Deputy Moreno made a U-turn and drove westbound Maple Street to contact the individuals. As Deputy Moreno drove toward the individuals, Deputy Magadan observed Suspect Brandon Kiper break from the group and quickly walked southbound through the gate and up the driveway at [redacted] West Maple Street, holding his waistband. Realizing Suspect Brandon Kiper was possibly in possession of a firearm, Deputy Magadan's attention was focused on Suspect Brandon Kiper. Deputy Moreno stopped the radio car north of the driveway on the south side of the street. Deputy Magadan said he exited the radio car, followed Suspect Brandon Kiper and ordered him to stop.

Deputy Magadan said Suspect Brandon Kiper walked on the driver's side of a Ford Expedition that was parked in the driveway. Deputy Magadan continued to observe Suspect Brandon Kiper as he reached the front of the Expedition and crouched down. Deputy Magadan heard metal hitting the ground and perceived that Suspect Brandon Kiper had just discarded a firearm.

Deputy Magadan ordered Suspect Brandon Kiper to show his hands as Deputy Magadan backed northbound down the driveway and over to the passenger's side of the Expedition, utilizing the Expedition as cover. When Deputy Magadan reached the passenger side of the Expedition, he saw Suspect Jamar Kiper standing at the front passenger side of the Expedition. Ordering both Suspects to show their hands, Suspect Brandon Kiper stood up and complied, while Suspect Jamar Kiper refused, and kept his hands toward his waistband. Deputy Magadan said Suspect Jamar Kiper was now his focus and ordered him again to show his hands. Suspect Jamar Kiper said, "Fuck it," and dove toward the area in front of the Expedition where Suspect Brandon Kiper had discarded a weapon.

As Suspect Jamar Kiper remerged, Deputy Magadan believed Suspect Jamar Kiper had armed himself with a weapon, shot two times through the passenger side window of the Expedition where the rounds exited through the windshield. Deputy Magadan said Suspect Jamar Kiper dove again to the ground.

Deputy Magadan said Deputy Moreno had been standing closer to the driver's side of the Expedition and toward the rear. Deputy Magadan joined Deputy Moreno, and while Deputy Magadan held the suspect at gunpoint, Deputy Moreno approached the suspect to check for injuries, and handcuffed Suspect Jamar Kiper who had not been injured by gunshots.

Deputy Magadan transmitted "998" radio traffic, then detained Suspect Brandon Kiper, and both witnesses on the sidewalk and waited for assisting units.

> **IAB Note:** Deputy Magadan said once Suspect Brandon Kiper "tossed" the weapon, and complied with his commands to put his hands in the air, his perception of Suspect Brandon Kiper was that he was not an immediate threat. Suspect Jamar Kiper ignored his commands to put his hands in the air, kept his hands at his waistband, then "dove" for the weapon discarded by Suspect Brandon Kiper. Deputy Magadan perceived Suspect Jamar Kiper was an immediate threat, and believed Suspect Brandon Kiper had left the location westbound.

**EMPLOYEE WITNESS STATEMENT:**

***The following narratives are intended only as a synopsis of the interviews. Additional information and precise wording may be obtained by reviewing the recorded interviews and transcriptions.***

**Deputy Moreno** was interviewed on October 10, 2012, at the Internal Affairs Bureau Offices by Sergeant Laura Haynes and Sergeant Brenda Parker. Deputy Moreno was represented by Erika Gurrola of Green and Shinee.

Deputy Moreno essentially gave the same account as documented in his Supplemental Report.

Deputy Moreno said he drove westbound Maple Street after he and Deputy Magadan observed three male blacks standing in the middle of Maple Street. As they drove closer to the males, Suspect Brandon Kiper walked away from the others, holding his waistband and through the gate of the driveway at [redacted] West Maple Street.

Deputy Moreno said Deputy Magadan exited the radio car first, and yelled at Suspect Brandon Kiper to, "Stop, come here." Deputy Moreno said when he exited the radio car, he saw two males [redacted] standing on the sidewalk, between [redacted] and [redacted] Maple Street, "I was focused on them. I looked them up and down. No indications of them being armed. They just stood there."

Deputy Moreno said he stood toward the rear of the Expedition, waiting to see which way Suspect Brandon Kiper would reappear. Deputy Moreno heard Deputy Magadan yelling, from the passenger side of the Expedition, "Let me see your hands. Let me see your hands," then heard two gunshots. Suspect Brandon Kiper then appeared from the passenger side of the vehicle and exited the yard. Deputy Moreno said he did not detain Suspect Brandon Kiper at that time because he was not perceived as a threat, due to Deputy Magadan was focused on Suspect Jamar Kiper.

Deputy Moreno was asked if he observed Suspect Jamar Kiper near the Expedition, or in the front yard prior to the shooting but he could not recall. Once the shooting occurred, Deputy Magadan joined Deputy Moreno on the driver's side of the Expedition. Deputy Moreno moved forward to where Suspect Jamar Kiper was on his hands and knees on the ground. Deputy Moreno ordered Suspect Jamar Kiper to lay flat on the ground, but he remained on all fours. As Deputy Magadan held Suspect Jamar Kiper at gunpoint, Deputy Moreno moved forward to handcuff the suspect. Deputy Moreno, pushed him to the ground and placed his knee on his back to maintain control.

Deputy Moreno said he detained Suspect Jamar Kiper facing northbound so he could keep a visual on Deputy Magadan as he detained the other individuals on the sidewalk, and transmitted radio traffic of the shooting.

**WITNESS STATEMENTS**:

**Witness** [redacted] was interviewed on September 1, 2012, at the Compton Sheriff Station by Compton [redacted] Detective [redacted], employee #[redacted] IAB Sergeant Haynes and IAB Sergeant Parker (Refer to **Exhibit F,** for Detective [redacted] Supplemental Report).

Witness [redacted] said he had parked his vehicle, a [redacted], in the driveway of his residence at [redacted] West Maple Street after returning home from football practice. He was removing items from the rear compartment of his vehicle when he saw Suspect Jamar Kiper and Suspect Brandon Kiper walk into his [redacted] and stand in front of his parked vehicle. He recognized the suspects as [redacted] of his [redacted]s but he did not know their names. Witness [redacted] said he did not pay much attention to what they were doing until he saw the "police" pull up with guns drawn. Witness [redacted] said, "Once the police exited their vehicle and were on the property, Suspects Brandon and Jamar Kiper started coming back around his vehicle towards the police." He immediately put his hands up, walked out of the drive way and into the middle of Maple Street. Witness [redacted] said he, "Was in the middle of the street when he (police) shot." Witness [redacted] said he, "Heard the police giving commands, something like, Stop and Come around from the thing."

Witness [redacted] said he cooperated because he knew the police were not there for him and he had not done anything wrong. He continued to walk toward a dark colored truck which was parked on the north side of Maple Street where he was eventually detained by deputies with his [redacted]. Witness [redacted].

Witness [redacted] told investigators his [redacted] used to be a gang member but did not know which gang. Witness [redacted] said he was not interested, "In that kind of stuff."

**Witness** [redacted] was interviewed on September 1, 2012, by Compton [redacted] Detective [redacted] and IAB Sergeant Haynes and IAB Sergeant Parker (Refer to **Exhibit F**, for Detective [redacted] Supplemental Report).

Witness [redacted] said he was talking to some friends who were parked in a dark colored truck on the north side of West Maple Street when a blacked out vehicle came driving westbound Maple Street. Witness [redacted] said he did not immediately recognize the vehicle as police and ran to the sidewalk east of [redacted] Maple Street ([redacted] in case it was a "drive by".

Witness [redacted] said he did not see anyone in the yard at [redacted] West Maple Street except Witness [redacted] removing items from his [redacted]. Witness [redacted] said he did not know what alerted the police to the yard, and he could not see past Witness [redacted]s [redacted] parked in the driveway. He said he did not physically see the shooting and only heard two gunshots after the police, "Jumped out at [redacted] West Maple Street and fired two shots." Witness [redacted] did not hear any commands given by deputy personnel.

## SUSPECT STATEMENT:

**Suspect Jamar Kiper** was interviewed on August 31, 2012, by Compton [redacted] Detective [redacted] and Compton [redacted] Detective Sumner, employee # [redacted] of the Compton Sheriff Station, [redacted] Detective Bureau (Refer to **Exhibit F,** for Detective [redacted] Supplemental Report).

Suspect Jamar Kiper denied contact with the police or that he was in possession of a weapon at the time of the Deputy Involved Shooting. He provided conflicting statements, but said he heard gunshots but did not know where they had come from, or who was shooting. He told investigators he had been shot five times before, and was "shell shocked." Suspect Jamar Kiper said, "He knows what time it is because he is being interviewed by the Gang Unit and he will just sit down (go to jail) for a minute." Suspect Jamar Kiper was asked about his affiliation with, "Fruit Town Piru." He said he knows, "He is in our files and we all know that."

Suspect Jamar Kiper is a documented "Fruit Town Piru," gang member, goes by the moniker, "Dribble," and had several "Fruit Town Piru," gang tattoos.

**Suspect Brandon Kiper** was interviewed on August 31, 2012, by Compton [redacted] Detective [redacted] and Compton [redacted] Detective Sumner of the Compton Sheriff Station, [redacted] Detective Bureau (Refer to **Exhibit F,** for Detective [redacted] Supplemental Report).)

Suspect Brandon Kiper denied he was in possession of a weapon at the time of the Deputy Involved Shooting. He admitted seeing two police officers exit their radio car with guns drawn ordering them to get on the ground. Suspect Brandon Kiper said, "He blanked out because he is dyslexic." Suspect Brandon Kiper said he heard gunshots but did not know if they were from the police or people on the street.

Suspect Brandon Kiper denied any gang affiliation.

> **IAB Note:** Suspect Brandon Kiper told investigators he drove his brother Suspect Jamar Kiper to the location to visit friends (Refer to **Exhibit E**, for CHP-180).